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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007

3/31/2010

**Certified Mail**

**Return Receipt Requested**

Klockner and Klockner, A General Partnership  
C/O Marilyn R. Greenberg, Esq.  
Riker, Danzig, Scherer, Hyland and Perretti  
Headquarters Plaza  
One Speedwell Avenue  
P.O. Box 1981  
Morristown, New Jersey 07962-1981

Re: Rockaway Borough Well Field Superfund Site  
Morris County, New Jersey  
Consent Decree, Civil Action No. 2:09-cv-05905-FSH-PS

Dear Ms. Greenberg:

The enclosed bill has been prepared by the U.S. Environmental Protection Agency (EPA) for the recovery of Operable Unit 3 (OU3) Interim Response Costs performed at the Klockner property for the Rockaway Borough Well Field Superfund Site, in accordance with the Consent Decree (CD), Civil Action No. 2:09-cv-05905-FSH-PS, effective January 13, 2010.

Enclosed are a reconciled Superfund Cost Recovery Package Imaging and Online System (SCORPIOS) report, a narrative statement of OU3 Interim Response Costs for the Remedial Design/Remedial Action (RD/RA) paid during the time period October 1, 2008 to January 13, 2010, and a bill for collection (BFC #2721026S011).

You are responsible, under the CD, for remitting payment in the amount of \$43,612.41 to EPA within thirty (30) days of receipt of this letter, as specified below. EPA requests that the amount due be sent to EPA's account at Federal Reserve Bank of New York via electronic funds transfer ("EFT"). To effect this payment via EFT, please instruct your bank to remit payment to EPA by providing the following information to your bank:

- i. EFT to be directed to: **Federal Reserve Bank of New York**,
- ii. Routing Number for Federal Reserve Bank of New York: **021030004**
- iii. Federal Reserve Bank of New York account number receiving payment: **68010727**
- iv. SWIFT address: **FRNYUS33**
- v. Address: **Federal Reserve Bank of New York**  
**33 Liberty Street**  
**New York, NY 10045**
- vi. Field Tag **4200** of the Fedwire message to read:  
**D 68010727 Environmental Protection Agency**
- vii. Case Number: Civil Action No. 2:09-cv-05905-FSH-PS
- viii. Amount of payment: **\$43,612.41**
- ix. Name of Remitter: **Klockner & Klockner**
- x. Site/Spill identifier: **02 - 81**

To ensure that your payment is properly recorded, you should send a letter or E-mail, within one week of the EFT, which references the date of the EFT, the payment amount, the name of the Site, the index number, and your name and address, to:

Brian Quinn  
Remedial Project Manager  
New Jersey Remediation Branch  
U.S. Environmental Protection Agency  
290 Broadway, 19<sup>th</sup> Floor  
New York, NY 10007-1866  
[quinn.brian@epa.gov](mailto:quinn.brian@epa.gov)

as well as to:

Clara Beitin, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007-1866  
[beitin.clara@epa.gov](mailto:beitin.clara@epa.gov)

and

Richard Rice  
U.S. Environmental Protection Agency  
26 W. Martin Luther King Drive  
Attention: FINANCE  
Cincinnati Finance Center, MS: NWD  
Cincinnati, Ohio 45268  
[AcctsReceivable.CINWD@epa.gov](mailto:AcctsReceivable.CINWD@epa.gov) & [rice.richard@epa.gov](mailto:rice.richard@epa.gov)

The United States reserves its right to recover any costs incurred during the time period covered by this accounting but not included in this billing, and all other and future costs pursuant to the Consent Decree.

Finally, as indicated in past correspondence, under the Superfund Administrative Reform on improving the management of work performed by consenting parties, EPA has reaffirmed its commitment to conduct appropriate and cost-effective oversight while ensuring protective cleanups. EPA believes that maintaining an open dialogue with potentially responsible parties about oversight expectations and consenting-party performance can improve the efficiency of response actions and minimize the costs of oversight.

To this end, EPA would once again like to offer to discuss with you its plans for the oversight of ongoing work at the Site, and to provide you with the opportunity to suggest ways to effectively streamline the work and its oversight. Please contact Mr. Quinn at (212) 637-4381 within two weeks of receipt of this letter if you are interested in having a conversation with us regarding future oversight, or if you have any questions regarding this Bill. Questions from your legal representative should be directed to Ms. Beitin at (212) 637-4382. Thank you for your prompt attention to this matter.

Sincerely yours,

Carole Petersen, Chief  
New Jersey Remediation Branch

Enclosures

bee: C. Kercado, OPM-FMB (w/enclosure)  
L. Peterson, PSB, w/enclosure  
J. Koechley, PSB (w/enclosure, via email)  
C. Beitin, ORC, w/enclosure  
L. Raut, ORC (w/o enclosure)  
Richard Rice - EPA Cincinnati Finance Center (w/enclosure, via e-mail)

Summary of RD/RA Interim Response Costs Paid by EPA  
Operable Unit 3 for the Klockner Property  
Rockaway Borough Well Field Superfund Site  
Rockaway, New Jersey

EPA Payroll, Contract, and EPA Indirect Costs associated with OU3 RD/RA Interim Response Costs for the Klockner Property from October 1, 2008 through January 13, 2010.

Regional Payroll

This consists of EPA Regional Payroll charges during the OU3 RD/RA Interim Costs period for the Klockner Property. This includes all costs that EPA incurs in reviewing and developing plans, reports and other items during the Interim Response Costs period as defined in the CD.

\$26,851.21

Response Action Contracts (RACS)

This consists of costs EPA paid to Foster Wheeler for performance of OU03 oversight activities during the Interim Costs period.

\$5,516.61

Indirect Costs

Indirect Costs are disbursements from the Superfund for the operation and management of the Superfund Program which is not direct costs (e.g. disbursements recorded in individual Superfund site accounts in EPA's financial management system). Indirect costs are allocated to particular Superfund sites by means of a methodology established by EPA Headquarters.

\$11,244.59

**TOTAL - \$43,612.41**